

12/20/01

JC965 U.S. PTO

10026290-122001

TRANSMITTAL OF UTILITY PATENT APPLICATION UNDER 37 CFR 1.53(b)		Attorney Docket No. 4148 5527			
		First Named Inventor Jack Ryaby, et al			
		Title Method, Apparatus and Kit for Cartilage Growth Stimulation			
		Express Mail Label No. EL602996752US			
APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents		ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, D.C. 20231			
1. <input checked="" type="checkbox"/> Specification Total Pages 50 (preferred arrangement as set forth below) - Descriptive title of the Invention - Cross References to Related Applications - Statement Regarding Fed sponsored R & D - Reference to Microfiche Appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure		5. <input type="checkbox"/> Microfiche Computer Program (Appendix) 6. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) a. <input type="checkbox"/> Computer Readable Copy b. <input type="checkbox"/> Paper Copy (identical to computer copy) c. <input type="checkbox"/> Statement verifying identify of above copies			
2. <input checked="" type="checkbox"/> Drawing(s) (35 USC 113) Total Sheets 55 3. Oath or Declaration Total Pages 10 a. <input type="checkbox"/> Unexecuted (original or copy) b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with box 17 completed) [Note Box 4 below] i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, See 37 CFR 1.63(d)(2) and 1.33(b)		ACCOMPANYING APPLICATION PARTS 7. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & document(s)) 8. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input checked="" type="checkbox"/> Power of Attorney (when there is an assignee) 9. <input type="checkbox"/> English Translation Document (if applicable) 10. <input type="checkbox"/> Information Disclosure <input type="checkbox"/> Copies of IDS Statement (IDS)/PTO-1449 Citations 11. <input checked="" type="checkbox"/> Preliminary Amendment 12. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) 13. <input type="checkbox"/> Small Entity <input type="checkbox"/> Statement filed in prior application, Status still proper (unexecuted) and desired 14. <input type="checkbox"/> Certified Copy of Priority Document(s) (If foreign priority is claimed) 15. Other: <input checked="" type="checkbox"/> Check in the amount of \$956.00 Check in the amount of \$40.00 During the pendency of this application, the Commissioner is hereby authorized to credit overpayments or charge any additional fees under 37 CFR 1.116 and 1.117 to Deposit Account No. 11-0855			
4. <input checked="" type="checkbox"/> Incorporation By Reference (usable if Box 3b is checked) The entire disclosure of the prior application, which a copy of the oath or declaration is supplied under Box 3b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein					
16. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment: <input checked="" type="checkbox"/> Continuation of prior application No. 09/436,999 <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) Prior application information: Examiner: W. Kamm Group/Art Unit: 3762					
17. FEE CALCULATIONS					
CLAIMS	For	Number Filed	Extra	Rate	Calculations
	Total Claims	32 - 20 =	12 x	\$18 =	\$ 216.00
	Indep. Claims	3 - 3 =	0 x	\$78 =	\$ 0.00
	Multiple Dependent Claims (if applicable)			+ \$260 =	\$ 0.00
	Basic Fee (37 CFR 1.16)				\$ 740.00
	Total Calculations				\$ 956.00
Reduced by 50% for filing small entity (Note 37 CFR 1.9, 1.27, 1.28).					\$ 0.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) \$40 per property					\$ 40.00
TOTAL FEES SUBMITTED					\$ 996.00
18. CORRESPONDENCE ADDRESS					
Customer Number Bar Code Label 23370 PATENT TRADEMARK OFFICE		John S. Pratt, Esq. KILPATRICK STOCKTON LLP 1100 Peachtree Street Suite 2800 Atlanta, Georgia 30309-4530 United States of America Phone: 404.815.6214 Fax 404.815.6555			
Name (Print/Type)	Bruce D. Gray			Registration No (Attorney/Agent)	35,799
Signature				Date	December 20, 2001
CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.10					
I hereby certify that this correspondence, along with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on this 20th day of DECEMBER 2001 in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR 1.10, Mailing Label Number EL602996752US addressed to Box PATENT APPLICATION, Assistant Commissioner for Patents, P. O. Box 2327, Arlington, VA 22202.					

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10/026290  
12/20/01

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision

**TOTAL AMOUNT OF PAYMENT** (\$) 996.00

## Complete if Known

Application Number Continuation of 09/436,999  
Filing Date December 20, 2001  
First Named Inventor Jack Ryaby, et al  
Examiner Name W. Kamm  
Group / Art Unit 3762  
Attorney Docket No. 41482/205527

## METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit  
Account  
Number

11-0855

Deposit  
Account  
Name

Kilpatrick Stockton LLP

☒ Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17  
☐ Applicant claims small entity status  
See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money  
Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	740.00
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

**SUBTOTAL (1)**

(\$ 740.00)

### 2. EXTRA CLAIM FEES

Total Claims 32 \*\* = 12 X 18 = 216.  
Independent Claims \*\* = 0 X = 0  
Multiple Dependent X = 0

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)**

(\$ 956.00)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17 (q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	40.00
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)**

(\$ 40.00)

## SUBMITTED BY

## Complete (if applicable)

Name (Print/Type) Bruce D. Gray Registration No. Attorney/Agent 35,799 Telephone 404.815.6218  
Signature Date December 20, 2001

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Burden Hour Statement. This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.